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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/059,327	01/31/2002	Atsuhito Suzuki	500.40369PX1	7274
24956	7590	07/10/2006	EXAMINER	
MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.			ERB, NATHAN	
1800 DIAGONAL ROAD			ART UNIT	
SUITE 370			PAPER NUMBER	
ALEXANDRIA, VA 22314			3639	

DATE MAILED: 07/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/059,327	SUZUKI ET AL.	
	Examiner	Art Unit	
	Nathan Erb	3639	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☒ Claim(s) 1-26 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>20020131</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

1. Claims 1-26 are objected to because of the following informalities:
 - a. In the eleventh line of claim 1, please replace the word "corresponding" with --matching--.
 - b. In the fifteenth line of claim 1, please replace the word "correspondence" with --pricing scheme--.
 - c. In the sixteenth line of claim 1, please replace the phrase "commonly applied for" with --to be applied to--.
 - d. In the first line of claim 2, please replace the word "A" with --The--.
 - e. In the first line of claim 3, please replace the word "A" with --The--.
 - f. In the first line of claim 4, please replace the word "A" with --The--.
 - g. In the third line of claim 4, please replace the phrase "holding fee" with --holding a fee--.
 - h. In the fourth and fifth lines of claim 4, please replace the phrase "of passages in an activity set for execution" with --an activity set has been executed--.
 - i. In the first line of claim 5, please replace the word "A" with --The--.
 - j. In the fourth and fifth lines of claim 5, please replace the phrase "passed for execution" with --executed--.
 - k. In the sixth line of claim 5, please replace the phrase "holding fee" with --holding a fee--.

- l. In the seventh and eighth lines of claim 5, please replace the phrase "of passages for execution" with --the activity set has been executed--.
- m. In the first line of claim 6, please replace the word "A" with --The--.
- n. In the first line of claim 7, please replace the word "A" with --The--.
- o. In the first line of claim 8, please replace the word "A" with --The--.
- p. In the fourth line of claim 8, please replace the phrase "definitions each coupled to an" with --definitions, each coupled to the same--.
- q. In the sixth line of claim 8, please replace the phrase "same each" with --same as each--.
- r. In the first line of claim 9, please replace the word "A" with --The--.
- s. In the first line of claim 10, please replace the word "A" with --The--.
- t. In the fourth line of claim 10, please replace the phrase "definitions each coupled to an" with --definitions, each coupled to the same--.
- u. In the sixth line of claim 10, please replace the phrase "same each" with --same as each--.
- v. In the twelfth line of claim 11, please replace the word "corresponding" with --matching--.
- w. In the sixteenth line of claim 11, please replace the word "correspondence" with --pricing scheme--.
- x. In the first line of claim 12, please replace the word "A" with --The--.
- y. In the fourth line of claim 12, please replace the phrase "in a" with --in an--.
- z. In the first line of claim 13, please replace the word "A" with --The--.

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- aa. In the first line of claim 14, please replace the word “A” with --The--.
- bb. In the first line of claim 15, please replace the word “A” with --The--.
- cc. In the fourth line of claim 15, please replace the phrase “definitions each coupled to an activity” with --definitions, each coupled to the same activity--.
- dd. In the sixth line of claim 15, please replace the phrase “same each” with --same as each--.
- ee. In the fourteenth line of claim 16, please replace the word “corresponding” with --matching--.
- ff. In the eighteenth line of claim 16, please replace the word “correspondence” with --pricing scheme--.
- gg. In the first line of claim 17, please replace the word “A” with --The--.
- hh. In the fifth line of claim 17, please replace the phrase “in a” with --in an--.
- ii. In the first line of claim 18, please replace the word “A” with --The--.
- jj. In the first line of claim 19, please replace the word “A” with --The--.
- kk. In the fifth line of claim 19, please remove the phrase “counted for passages of.”
- ll. In the sixth line of claim 19, please replace the phrase “for execution” with --has been executed--.
- mm. In the first line of claim 20, please replace the word “A” with --The--.
- nn. In the fifth line of claim 20, please remove the phrase “counted for passages of.”

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oo. In the sixth line of claim 20, please replace the phrase “for execution” with --has been executed--.

pp. In the first line of claim 21, please replace the word “A” with --The--.

qq. In the first line of claim 22, please replace the word “A” with --The--.

rr. In the first line of claim 23, please replace the word “A” with --The--.

ss. In the fourth line of claim 23, please replace the phrase “definitions each coupled to an” with --definitions, each coupled to the same--.

tt. In the sixth line of claim 23, please replace the phrase “same each” with --same as each--.

uu. In the first line of claim 24, please replace the word “A” with --The--.

vv. In the first line of claim 25, please replace the word “A” with --The--.

ww. In the fourth line of claim 25, please replace the phrase “definitions each coupled to an” with --definitions, each coupled to the same--.

xx. In the sixth line of claim 25, please replace the phrase “same each” with --same as each--.

yy. In the second line of claim 26, please replace the phrase “CPU readable” with --CPU-readable--.

zz. In the thirteenth line of claim 26, please replace the word “corresponding” with --matching--.

aaa. In the seventeenth line of claim 26, please replace the word “correspondence” with --pricing scheme--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1, 7, 8, 10-12, 15-16, and 23-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per **Claim 1**, on the eleventh and twelfth lines of the claim, the phrase "a workflow" appears. The phrase "a workflow" appears above on the first line of claim 1. It is unclear whether the same or a different "workflow" is being referred to.

As per **Claim 7**, on the third line of the claim, the phrase "a pricing scheme" appears. The phrase "a pricing scheme" appears above on the thirteenth line of claim 1, from which claim 7 either directly or indirectly depends. It is unclear whether the same or a different "pricing scheme" is being referred to.

As per **Claim 11**, on the thirteenth line of the claim, the phrase "a workflow" appears. The phrase "a workflow" appears above on the second line of claim 11. It is unclear whether the same or a different "workflow" is being referred to.

As per **Claim 12**, on the fourth and fifth lines of the claim, the phrase "a activity set" appears. The phrase "said activity set" appears above on the fifteenth line of claim 11, from which

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claim 12 either directly or indirectly depends. It is unclear whether the same or a different "activity set" is being referred to.

As per **Claim 16**, on the fifteenth line of the claim, the phrase "a workflow" appears. The phrase "a workflow" appears above on the first line of claim 16. It is unclear whether the same or a different "workflow" is being referred to.

As per **Claim 24**, on the third line of the claim, the phrase "a pricing scheme" appears. The phrase "a pricing scheme" appears above on the sixteenth line of claim 16, from which claim 24 either directly or indirectly depends. It is unclear whether the same or a different "pricing scheme" is being referred to.

As per **Claim 26**, on the fourteenth line of the claim, the phrase "a workflow" appears. The phrase "a workflow" appears above on the fourth line of claim 26. It is unclear whether the same or a different "workflow" is being referred to.

As per **Claims 8, 10, 15, 23, and 25**, in each of these claims, it is unclear what the phrase "each coupled" is referring to. For example, is "each coupled" referring to "each pricing scheme" or "each process definition?"

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 1-10 are rejected under 35 U.S.C. 101 because the claimed inventions are directed to non-statutory subject matter. In order to be patentable, an invention involving a mathematical algorithm must produce a useful, concrete, and tangible result. State Street Bank & Trust Co. v. Signature Financial Group Inc., 47 USPQ2d 1596, 1600-1601 (Fed. Cir. 1998). The inventions of these claims do not produce tangible results, for example, some sort of perceivable communication that transmits their calculated pricing amounts to a user. This could be a step producing a chart, printout, or computer monitor display; however, there are no such outputs in these claims. Therefore, these claims do not produce tangible results and are not patentable.

6. Claims 11-15 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claim is directed to a computer program, without the computer-readable medium needed to realize the computer program's functionality. Therefore, the claim is directed to nonstatutory functional descriptive material. See MPEP 2106(IV)(B)(1)(a).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-3, 6-18, and 21-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mason et al., U.S. Patent No. 4,503,499, in view of Goossens et al., U.S. Patent No. 6,356,880, in further view of Haggerson et al., U.S. Patent No. 5,956,690.

As per **Claim 1**, Mason et al. discloses:

- a method of managing a workflow based on process definition information (column 1, line 42, through column 2, line 26);

- managing execution of a plurality of activities in a process based on process definition information, said process definition information defining said plurality of activities and a processing sequence between said plurality of activities, and holding execution history information on said plurality of executed activities (column 1, line 42, through column 2, line 26).

Mason et al. fails to disclose corresponding an activity set included in a workflow defined by said process definition information to a pricing scheme for a user associated with the execution of said activity set, and holding the correspondence as activity set pricing definition information commonly applied for activity definitions included in said activity set. Goossens et al. discloses corresponding an activity set included in a workflow defined by said process definition information to a pricing scheme for a user associated with the execution of said activity set, and holding the correspondence as activity set pricing definition information commonly applied for activity definitions included in said activity set (column 4, lines 31-43; costs are prices to whomever is paying the costs; therefore, the cost-assignment rules and entered cost values are pricing schemes). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. such that it corresponds an activity set included in a workflow defined by said process definition information to a pricing scheme for a user associated with the execution of said activity set, and holding the

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correspondence as activity set pricing definition information commonly applied for activity definitions included in said activity set, as disclosed by Goossens et al. Goossens et al. provides motivation in that assigning costs, that is prices, to tasks allows one to track costs within and across tasks of a project (column 3, lines 37-49).

Mason et al. and Goossens et al. fail to disclose calculating a pricing amount for the user based on said activity set pricing definition information. Haggerson et al. discloses calculating a pricing amount for the user based on said activity set pricing definition information (Figure 9; column 8, lines 1-7; the user is the patient; the activity sets are the various medical procedures; pricing definition information was needed to calculate the various charges for the medical procedures). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified above in this rejection such that it calculates a pricing amount for the user based on said activity set pricing definition information, as disclosed by Haggerson et al. Haggerson et al. provides motivation in that calculating a pricing amount allows a request for payment of that pricing amount to be generated (Figure 9; column 8, lines 1-7).

As per **Claim 2**, Mason et al. and Goossens et al. fail to disclose providing a relation, as an entry between each user and said activity set pricing definition information. Haggerson et al. further discloses providing a relation, as an entry between each user and said activity set pricing definition information (Figure 9; column 8, lines 1-7; the patient has been related to the pricing rules for the medical procedures because prices for the medical procedures for the patient were able to be generated). It would have been obvious to one of ordinary skill in the art at the time of

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applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 1 such that it provides a relation, as an entry between each user and said activity set pricing definition information, as disclosed by Haggerson et al. Haggerson et al. provides motivation in that relating a user to pricing definition information allows charges for the user to be able to be generated (Figure 9; column 8, lines 1-7).

As per **Claim 3**, Mason et al. further discloses: using a history table having a record for execution of each said activity set, and a state management table for storing a state of the execution of said each activity set (column 1, line 42, through column 2, line 26). Mason et al. and Goossens et al. fail to disclose calculating a pricing amount from stored historical data. Haggerson et al. further discloses calculating a pricing amount from stored historical data (Figure 9; column 1, lines 27-44; column 8, lines 1-7). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 1 such that it calculates a pricing amount from stored historical data, as disclosed by Haggerson et al. Haggerson et al. provides motivation in that calculating a pricing amount from stored historical data allows charges to be able to be generated for a customer for past services (Figure 9; column 1, lines 27-44; column 8, lines 1-7).

As per **Claim 6**, Mason et al. further discloses: providing a memory for holding an execution time for execution of at least one activity set included in said workflow (column 7, line 39, through column 8, line 17; execution time is stored in the form of time selected and time complete). Mason et al., Goossens et al., and Haggerson et al. fail to disclose using variables to

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store values in computer systems. However, that element/limitation was well-known in the art at the time of applicants' invention (the values being pricing values was discussed in the rejection for claim 1; pricing amount was addressed in the rejection for claim 1). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 1 such that it uses variables to store values in computer systems, as was well-known in the art at the time of applicants' invention. Motivation is provided in that it was well-known to a person of ordinary skill in the art at the time of applicants' invention that variables are a common, well-known way to store values in computer systems.

As per **Claim 7**, Mason et al. and Haggerson et al. fail to disclose defining a pricing scheme for a definition set including one or a plurality of activity definitions to be commonly applied thereto. Goossens et al. further discloses defining a pricing scheme for a definition set including one or a plurality of activity definitions to be commonly applied thereto (column 4, lines 31-43; costs are prices to whomever is paying the costs; therefore, the cost-assignment rules and entered cost values are pricing schemes; the activities are the various tasks). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 6 such that it defines a pricing scheme for a definition set including one or a plurality of activity definitions to be commonly applied thereto, as disclosed by Goossens et al. Goossens et al. provides motivation in that assigning costs, that is prices, to tasks allows one to track costs within and across tasks of a project; the pricing scheme allows costs to be assigned to tasks (column 3, lines 37-49).

As per **Claim 8**, Mason et al. and Haggerson et al. fail to disclose defining said pricing scheme for respective process definitions each coupled to an activity definition commonly when said process definitions are the same each other. Goossens et al. further discloses defining said pricing scheme for respective process definitions each coupled to an activity definition commonly when said process definitions are the same each other (column 4, lines 31-43; column 4, line 44, through column 5, line 16; in the reference, a process is defined by the collection of tasks it represents; a particular pricing scheme is assigned to a particular process; therefore, when two process definitions are the same, they will be regarded by the system as the same process, with the same pricing scheme assigned to the same activities). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 7 such that it defines said pricing scheme for respective process definitions each coupled to an activity definition commonly when said process definitions are the same each other, as disclosed by Goossens et al. Goossens et al. provides motivation in that defining a particular pricing scheme for a particular process of particular activities allows the system to assign costs, that is prices, to tasks, allowing one to track costs within and across tasks of a project (column 3, lines 37-49; column 4, lines 31-43; column 4, line 44, through column 5, line 16).

As per **Claim 9**, Mason et al. and Haggerson et al. fail to disclose defining a pricing scheme for a definition set including one or a plurality of activity definitions to be commonly applied thereto. Goossens et al. further discloses defining a pricing scheme for a definition set

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including one or a plurality of activity definitions to be commonly applied thereto (column 4, lines 31-43; costs are prices to whomever is paying the costs; therefore, the cost-assignment rules and entered cost values are pricing schemes; the activities are the various tasks). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 1 such that it defines a pricing scheme for a definition set including one or a plurality of activity definitions to be commonly applied thereto, as disclosed by Goossens et al. Goossens et al. provides motivation in that assigning costs, that is prices, to tasks allows one to track costs within and across tasks of a project; the pricing scheme allows costs to be assigned to tasks (column 3, lines 37-49).

As per Claim 10, Mason et al. and Haggerson et al. fail to disclose defining said pricing scheme for respective process definitions each coupled to an activity definition commonly when said process definitions are the same each other. Goossens et al. further discloses defining said pricing scheme for respective process definitions each coupled to an activity definition commonly when said process definitions are the same each other (column 4, lines 31-43; column 4, line 44, through column 5, line 16; in the reference, a process is defined by the collection of tasks it represents; a particular pricing scheme is assigned to a particular process; therefore, when two process definitions are the same, they will be regarded by the system as the same process, with the same pricing scheme assigned to the same activities). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 9 such that it defines said pricing scheme for respective process definitions each coupled to an activity definition commonly when said process

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definitions are the same each other, as disclosed by Goossens et al. Goossens et al. provides motivation in that defining a particular pricing scheme for a particular process of particular activities allows the system to assign costs, that is prices, to tasks, allowing one to track costs within and across tasks of a project (column 3, lines 37-49; column 4, lines 31-43; column 4, line 44, through column 5, line 16).

As per **Claim 11**, Mason et al. discloses:

- a workflow management program which is read into and run on an apparatus for managing a workflow based on process definition information (column 1, line 42, through column 2, line 26);
- managing execution of a plurality of activities in a process based on process definition information, said process definition information defining said plurality of activities and a processing sequence between said plurality of activities, and holding execution history information on said plurality of executed activities (column 1, line 42, through column 2, line 26).

Mason et al. fails to disclose corresponding an arbitrary activity set included in a workflow defined by said process definition information to a pricing scheme for a user associated with the execution of said activity set, and holding the correspondence as activity set pricing definition information. Goossens et al. discloses corresponding an arbitrary activity set included in a workflow defined by said process definition information to a pricing scheme for a user associated with the execution of said activity set, and holding the correspondence as activity set pricing definition information (column 4, lines 31-43; costs are prices to whomever is paying

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the costs; therefore, the cost-assignment rules and entered cost values are pricing schemes). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. such that it corresponds an arbitrary activity set included in a workflow defined by said process definition information to a pricing scheme for a user associated with the execution of said activity set, and holding the correspondence as activity set pricing definition information, as disclosed by Goossens et al. Goossens et al. provides motivation in that assigning costs, that is prices, to tasks allows one to track costs within and across tasks of a project (column 3, lines 37-49).

Mason et al. and Goossens et al. fail to disclose calculating a pricing amount for the user based on said activity set pricing definition information. Haggerson et al. discloses calculating a pricing amount for the user based on said activity set pricing definition information (Figure 9; column 8, lines 1-7; the user is the patient; the activity sets are the various medical procedures; pricing definition information was needed to calculate the various charges for the medical procedures). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified above in this rejection such that it calculates a pricing amount for the user based on said activity set pricing definition information, as disclosed by Haggerson et al. Haggerson et al. provides motivation in that calculating a pricing amount allows a request for payment of that pricing amount to be generated (Figure 9; column 8, lines 1-7).

As per **Claim 12**, Mason et al. and Haggerson et al. fail to disclose providing a pricing scheme setting unit name corresponding to a process definition name in a activity set for each

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user, as an entry, in said activity set pricing definition information. Goossens et al. further discloses providing a pricing scheme setting unit name corresponding to a process definition name in a activity set for each user, as an entry, in said activity set pricing definition information (Figure 3; column 4, lines 31-43; column 4, line 44, through column 5, line 16; column 5, lines 17-47; according to applicants' specification on p. 19, a pricing scheme setting unit is an activity set; costs are prices to whomever is paying the costs; therefore, the cost-assignment rules and entered cost values are pricing schemes; the projects and activities are given names [for example, P1 and T1] and are linked to a pricing scheme and a user [the user in this case is the owner of the business]). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 11 such that it provides a pricing scheme setting unit name corresponding to a process definition name in a activity set for each user, as an entry, in said activity set pricing definition information, as disclosed by Goossens et al. Goossens et al. provides motivation in that using a pricing scheme to assign costs, that is prices, to tasks of a process for a user allows one to track costs within and across tasks of a project (column 3, lines 37-49).

As per **Claim 13**, Mason et al. further discloses: using a history table having a record for execution of each said activity set, and a state management table for storing a state of the execution of said each activity set (column 1, line 42, through column 2, line 26). Mason et al. and Goossens et al. fail to disclose calculating a pricing amount from stored historical data. Haggerson et al. further discloses calculating a pricing amount from stored historical data (Figure 9; column 1, lines 27-44; column 8, lines 1-7). It would have been obvious to one of ordinary

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skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 11 such that it calculates a pricing amount from stored historical data, as disclosed by Haggerson et al. Haggerson et al. provides motivation in that calculating a pricing amount from stored historical data allows charges to be able to be generated for a customer for past services (Figure 9; column 1, lines 27-44; column 8, lines 1-7).

As per **Claim 14**, Mason et al. and Haggerson et al. fail to disclose defining a pricing scheme for a definition set including one or a plurality of activity definitions to be commonly applied thereto. Goossens et al. further discloses defining a pricing scheme for a definition set including one or a plurality of activity definitions to be commonly applied thereto (column 4, lines 31-43; costs are prices to whomever is paying the costs; therefore, the cost-assignment rules and entered cost values are pricing schemes; the activities are the various tasks). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 11 such that it defines a pricing scheme for a definition set including one or a plurality of activity definitions to be commonly applied thereto, as disclosed by Goossens et al. Goossens et al. provides motivation in that assigning costs, that is prices, to tasks allows one to track costs within and across tasks of a project; the pricing scheme allows costs to be assigned to tasks (column 3, lines 37-49).

As per **Claim 15**, Mason et al. and Haggerson et al. fail to disclose defining said pricing scheme for respective process definitions each coupled to an activity definition commonly when said process definitions are the same each other. Goossens et al. further discloses defining said

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pricing scheme for respective process definitions each coupled to an activity definition commonly when said process definitions are the same each other (column 4, lines 31-43; column 4, line 44, through column 5, line 16; in the reference, a process is defined by the collection of tasks it represents; a particular pricing scheme is assigned to a particular process; therefore, when two process definitions are the same, they will be regarded by the system as the same process, with the same pricing scheme assigned to the same activities). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 14 such that it defines said pricing scheme for respective process definitions each coupled to an activity definition commonly when said process definitions are the same each other, as disclosed by Goossens et al. Goossens et al. provides motivation in that defining a particular pricing scheme for a particular process of particular activities allows the system to assign costs, that is prices, to tasks, allowing one to track costs within and across tasks of a project (column 3, lines 37-49; column 4, lines 31-43; column 4, line 44, through column 5, line 16).

As per **Claim 16**, Mason et al. discloses:

- an apparatus for managing a workflow based on process definition information (column 1, line 42, through column 2, line 26);
- a CPU (column 3, lines 62-68);
- a workflow execution control engine for controlling execution of said workflow including a plurality of activity sets (column 1, line 42, through column 2, line 26; column 3, lines 62-68);

- a table for holding execution history information on a plurality of activities in a process, associated with the execution of said plurality of activities based on process definition information, said process definition information defining said plurality of activities and a processing sequence between said plurality of activities (column 1, line 42, through column 2, line 26; column 7, line 39, through column 8, line 17).

Mason et al. fails to disclose a table for corresponding an arbitrary activity set included in a workflow defined by said process definition information to a pricing scheme for a user associated with the execution of said activity set, and holding the correspondence as activity set pricing definition information. Goossens et al. discloses a table for corresponding an arbitrary activity set included in a workflow defined by said process definition information to a pricing scheme for a user associated with the execution of said activity set, and holding the correspondence as activity set pricing definition information (column 4, lines 31-43; column 5, lines 17-47; costs are prices to whomever is paying the costs; therefore, the cost-assignment rules and entered cost values are pricing schemes). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. such that it includes a table for corresponding an arbitrary activity set included in a workflow defined by said process definition information to a pricing scheme for a user associated with the execution of said activity set, and holding the correspondence as activity set pricing definition information, as disclosed by Goossens et al. Goossens et al. provides motivation in that assigning costs, that is prices, to tasks allows one to track costs within and across tasks of a project (column 3, lines 37-49).

Mason et al. and Goossens et al. fail to disclose wherein a pricing amount for the user is added based on said activity set pricing definition information. Haggerson et al. discloses wherein a pricing amount for the user is added based on said activity set pricing definition information (Figure 9; column 8, lines 1-7; the user is the patient; the activity sets are the various medical procedures; pricing definition information was needed to calculate the various charges for the medical procedures). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified above in this rejection such that a pricing amount for the user is added based on said activity set pricing definition information, as disclosed by Haggerson et al. Haggerson et al. provides motivation in that calculating a pricing amount allows a request for payment of that pricing amount to be generated (Figure 9; column 8, lines 1-7).

As per **Claim 17**, Mason et al. and Haggerson et al. fail to disclose wherein said activity set pricing definition information has a pricing scheme setting unit name corresponding to a process definition name in a activity set for each user as an entry. Goossens et al. further discloses wherein said activity set pricing definition information has a pricing scheme setting unit name corresponding to a process definition name in a activity set for each user as an entry (Figure 3; column 4, lines 31-43; column 4, line 44, through column 5, line 16; column 5, lines 17-47; according to applicants' specification on p. 19, a pricing scheme setting unit is an activity set; costs are prices to whomever is paying the costs; therefore, the cost-assignment rules and entered cost values are pricing schemes; the projects and activities are given names [for example, P1 and T1] and are linked to a pricing scheme and a user [the user in this case is the owner of the

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business])). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 16 such that said activity set pricing definition information has a pricing scheme setting unit name corresponding to a process definition name in a activity set for each user as an entry, as disclosed by Goossens et al. Goossens et al. provides motivation in that using a pricing scheme to assign costs, that is prices, to tasks of a process for a user allows one to track costs within and across tasks of a project (column 3, lines 37-49).

As per **Claim 18**, Mason et al. further discloses: using a history table having a record for execution of each said activity set, and a state management table for storing a state of the execution of said each activity set (column 1, line 42, through column 2, line 26). Mason et al. and Goossens et al. fail to disclose calculating a pricing amount from stored historical data. Haggerson et al. further discloses calculating a pricing amount from stored historical data (Figure 9; column 1, lines 27-44; column 8, lines 1-7). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 16 such that it calculates a pricing amount from stored historical data, as disclosed by Haggerson et al. Haggerson et al. provides motivation in that calculating a pricing amount from stored historical data allows charges to be able to be generated for a customer for past services (Figure 9; column 1, lines 27-44; column 8, lines 1-7).

As per **Claim 21**, Mason et al. further discloses: a table for holding an execution time for execution of at least one activity set included in said workflow (column 7, line 39, through

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column 8, line 17; execution time is stored in the form of time selected and time complete).

Mason et al. and Haggerson et al. fail to disclose having a pricing scheme setting unit definition information table and including variable fee pricing in said pricing amount based on said table.

Goossens et al. further discloses having a pricing scheme setting unit definition information table and including variable fee pricing in said pricing amount based on said table (Figure 3; column 4, lines 31-43; column 4, line 44, through column 5, line 16; column 5, lines 17-47; according to applicants' specification on p. 19, a pricing scheme setting unit is an activity set; costs are prices to whomever is paying the costs; therefore, the cost-assignment rules and entered cost values are pricing schemes; the projects and activities are given names [for example, P1 and T1] and are linked to a pricing scheme and a user [the user in this case is the owner of the business]; workflow management apparatus was addressed in the rejection for claim 16). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 16 such that it has a pricing scheme setting unit definition information table and includes variable fee pricing in said pricing amount based on said table, as disclosed by Goossens et al. Goossens et al. provides motivation in that using a pricing scheme setting unit definition information table and variable fee pricing to assign costs, that is prices, to tasks of a process for a user allows one to track costs within and across tasks of a project (column 3, lines 37-49).

As per **Claim 22**, Mason et al. and Haggerson et al. fail to disclose means for defining a pricing scheme for a definition set including one or a plurality of activity definitions to be commonly applied thereto. Goossens et al. further discloses means for defining a pricing scheme

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for a definition set including one or a plurality of activity definitions to be commonly applied thereto (column 4, lines 31-43; costs are prices to whomever is paying the costs; therefore, the cost-assignment rules and entered cost values are pricing schemes; the activities are the various tasks). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 21 such that it includes means for defining a pricing scheme for a definition set including one or a plurality of activity definitions to be commonly applied thereto, as disclosed by Goossens et al. Goossens et al. provides motivation in that assigning costs, that is prices, to tasks allows one to track costs within and across tasks of a project; the pricing scheme allows costs to be assigned to tasks (column 3, lines 37-49).

As per **Claim 23**, Mason et al. and Haggerson et al. fail to disclose means for defining said pricing scheme for respective process definitions each coupled to an activity definition commonly when said process definitions are the same each other. Goossens et al. further discloses means for defining said pricing scheme for respective process definitions each coupled to an activity definition commonly when said process definitions are the same each other (column 4, lines 31-43; column 4, line 44, through column 5, line 16; in the reference, a process is defined by the collection of tasks it represents; a particular pricing scheme is assigned to a particular process; therefore, when two process definitions are the same, they will be regarded by the system as the same process, with the same pricing scheme assigned to the same activities). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 22 such that it

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includes means for defining said pricing scheme for respective process definitions each coupled to an activity definition commonly when said process definitions are the same each other, as disclosed by Goossens et al. Goossens et al. provides motivation in that defining a particular pricing scheme for a particular process of particular activities allows the system to assign costs, that is prices, to tasks, allowing one to track costs within and across tasks of a project (column 3, lines 37-49; column 4, lines 31-43; column 4, line 44, through column 5, line 16).

As per **Claim 24**, Mason et al. and Haggerson et al. fail to disclose means for defining a pricing scheme for a definition set including one or a plurality of activity definitions to be commonly applied thereto. Goossens et al. further discloses means for defining a pricing scheme for a definition set including one or a plurality of activity definitions to be commonly applied thereto (column 4, lines 31-43; costs are prices to whomever is paying the costs; therefore, the cost-assignment rules and entered cost values are pricing schemes; the activities are the various tasks). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 16 such that it includes means for defining a pricing scheme for a definition set including one or a plurality of activity definitions to be commonly applied thereto, as disclosed by Goossens et al. Goossens et al. provides motivation in that assigning costs, that is prices, to tasks allows one to track costs within and across tasks of a project; the pricing scheme allows costs to be assigned to tasks (column 3, lines 37-49).

As per **Claim 25**, Mason et al. and Haggerson et al. fail to disclose means for defining said pricing scheme for respective process definitions each coupled to an activity definition commonly when said process definitions are the same each other. Goossens et al. further discloses means for defining said pricing scheme for respective process definitions each coupled to an activity definition commonly when said process definitions are the same each other (column 4, lines 31-43; column 4, line 44, through column 5, line 16; in the reference, a process is defined by the collection of tasks it represents; a particular pricing scheme is assigned to a particular process; therefore, when two process definitions are the same, they will be regarded by the system as the same process, with the same pricing scheme assigned to the same activities). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 24 such that it includes means for defining said pricing scheme for respective process definitions each coupled to an activity definition commonly when said process definitions are the same each other, as disclosed by Goossens et al. Goossens et al. provides motivation in that defining a particular pricing scheme for a particular process of particular activities allows the system to assign costs, that is prices, to tasks, allowing one to track costs within and across tasks of a project (column 3, lines 37-49; column 4, lines 31-43; column 4, line 44, through column 5, line 16).

As per **Claim 26**, Mason et al. discloses:

- a storage medium having stored thereon a workflow management program in CPU readable codes, said workflow management program, when read into and run on an apparatus for

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managing a workflow based on process definition information (column 1, line 42, through column 2, line 26; column 3, lines 62-68);

- using code to represent steps (column 1, line 42, through column 2, line 26);
- managing execution of a plurality of activities in a process based on process definition information, said process definition information defining said plurality of activities and a processing sequence between said plurality of activities, and holding execution history information on said plurality of executed activities (column 1, line 42, through column 2, line 26).

Mason et al. fails to disclose corresponding an arbitrary activity set included in a workflow defined by said process definition information to a pricing scheme for a user associated with the execution of said activity set, and holding the correspondence as activity set pricing definition information. Goossens et al. discloses corresponding an arbitrary activity set included in a workflow defined by said process definition information to a pricing scheme for a user associated with the execution of said activity set, and holding the correspondence as activity set pricing definition information (column 4, lines 31-43; costs are prices to whomever is paying the costs; therefore, the cost-assignment rules and entered cost values are pricing schemes). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. such that it corresponds an arbitrary activity set included in a workflow defined by said process definition information to a pricing scheme for a user associated with the execution of said activity set, and holding the correspondence as activity set pricing definition information, as disclosed by Goossens et al. Goossens et al. provides

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motivation in that assigning costs, that is prices, to tasks allows one to track costs within and across tasks of a project (column 3, lines 37-49).

Mason et al. and Goossens et al. fail to disclose calculating a pricing amount for the user based on said activity set pricing definition information. Haggerson et al. discloses calculating a pricing amount for the user based on said activity set pricing definition information (Figure 9; column 8, lines 1-7; the user is the patient; the activity sets are the various medical procedures; pricing definition information was needed to calculate the various charges for the medical procedures). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified above in this rejection such that it calculates a pricing amount for the user based on said activity set pricing definition information, as disclosed by Haggerson et al. Haggerson et al. provides motivation in that calculating a pricing amount allows a request for payment of that pricing amount to be generated (Figure 9; column 8, lines 1-7).

9. Claims 4-5 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mason et al. in view of Goossens et al. in further view of Haggerson et al. in further view of Remington et al., U.S. Patent No. 6,968,319.

As per **Claim 4**, Mason et al., Goossens et al., and Haggerson et al. fail to disclose providing a table for holding fee calculated in accordance with the number of times of passages in an activity set for execution. Remington et al. discloses providing a table for holding fee calculated in accordance with the number of times of passages in an activity set for execution (Figure 8; column 1, lines 26-37; column 11, lines 11-21; bill [table] calculates total price based

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on quantity; reference states that it can be used for goods or services [activities]). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 3 such that it provides a table for holding fee calculated in accordance with the number of times of passages in an activity set for execution, as disclosed by Remington et al. Remington et al. provides motivation in that providing a table which takes quantity of a good/service into account when calculating a fee allows a customer to be charged for the full number of goods/services purchased (Figure 8; column 1, lines 26-37; column 11, lines 11-21).

Mason et al., Goossens et al., Haggerson et al., and Remington et al. fail to disclose using variables to store values in computer systems. However, that element/limitation was well-known in the art at the time of applicants' invention (the values being pricing values was discussed earlier in this rejection; pricing amount was addressed in the rejection for claim 1). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 3 and as modified above in this rejection such that it uses variables to store values in computer systems, as was well-known in the art at the time of applicants' invention. Motivation is provided in that it was well-known to a person of ordinary skill in the art at the time of applicants' invention that variables are a common, well-known way to store values in computer systems.

As per **Claim 5**, Mason et al., Goossens et al., and Haggerson et al. fail to disclose counting the number of times at least one activity set is passed for execution. Remington et al. discloses counting the number of times at least one activity set is passed for execution (Figure 8;

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column 1, lines 26-37; column 11, lines 11-21; keeps count of quantity of good/services for billing; reference states that it can be used for goods or services [activities]; workflow was addressed in the rejection for claim 1). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 1 such that it counts the number of times at least one activity set is passed for execution, as disclosed by Remington et al. Remington et al. provides motivation in that counting quantity of a good/service allows a customer to be charged for the full number of goods/services purchased (Figure 8; column 1, lines 26-37; column 11, lines 11-21).

Mason et al., Goossens et al., and Haggerson et al. fail to disclose calculating a fee in accordance with the number of times of passages for execution. Remington et al. further discloses calculating a fee in accordance with the number of times of passages for execution (Figure 8; column 1, lines 26-37; column 11, lines 11-21; bill calculates total price based on quantity; reference states that it can be used for goods or services [activities]). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 1 and as modified above in this rejection such that it calculates a fee in accordance with the number of times of passages for execution, as disclosed by Remington et al. Remington et al. provides motivation in that calculating a fee based on the quantity of good/services allows a customer to be charged for the full number of goods/services purchased (Figure 8; column 1, lines 26-37; column 11, lines 11-21).

Mason et al., Goossens et al., and Remington et al. fail to disclose providing a memory for holding a fee. Haggerson et al. further discloses providing a memory for holding a fee

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(column 2, lines 57-65). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 1 and as modified above in this rejection such that it provides a memory for holding a fee, as disclosed by Haggerson et al. Haggerson et al. provides motivation in that being able to hold a fee in a computer system's memory allows the fee data to be processed at a later point in time (column 2, line 57, through column 3, line 24; column 4, lines 1-4).

Mason et al., Goossens et al., Haggerson et al., and Remington et al. fail to disclose using variables to store values in computer systems. However, that element/limitation was well-known in the art at the time of applicants' invention (the values being pricing values was discussed earlier in this rejection; pricing amount was addressed in the rejection for claim 1). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 1 and as modified above in this rejection such that it uses variables to store values in computer systems, as was well-known in the art at the time of applicants' invention. Motivation is provided in that it was well-known to a person of ordinary skill in the art at the time of applicants' invention that variables are a common, well-known way to store values in computer systems.

As per **Claim 19**, Mason et al., Goossens et al., and Haggerson et al. fail to disclose a pricing scheme setting unit definition information table for holding the number of times counted for passages of at least one activity set for execution. Remington et al. discloses a pricing scheme setting unit definition information table for holding the number of times counted for passages of at least one activity set for execution (Figure 8; column 1, lines 26-37; column 11,

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lines 11-21; keeps count of quantity of good/services for billing; reference states that it can be used for goods or services [activities]; workflow was addressed in the rejection for claim 16). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 18 such that it includes a pricing scheme setting unit definition information table for holding the number of times counted for passages of at least one activity set for execution, as disclosed by Remington et al. Remington et al. provides motivation in that counting quantity of a good/service allows a customer to be charged for the full number of goods/services purchased (Figure 8; column 1, lines 26-37; column 11, lines 11-21).

Mason et al., Goossens et al., and Haggerson et al. fail to disclose wherein said workflow management apparatus includes variable fee pricing in said pricing amount based on said table. Remington et al. further discloses wherein said workflow management apparatus includes variable fee pricing in said pricing amount based on said table (Figure 8; column 1, lines 26-37; column 11, lines 11-21; bill calculates total price based on quantity; reference states that it can be used for goods or services [activities]). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 18 and as modified above in this rejection such that said workflow management apparatus includes variable fee pricing in said pricing amount based on said table, as disclosed by Remington et al. Remington et al. provides motivation in that calculating a fee based on the quantity of good/services allows a customer to be charged for the full number of goods/services purchased (Figure 8; column 1, lines 26-37; column 11, lines 11-21).

As per **Claim 20**, Mason et al., Goossens et al., and Haggerson et al. fail to disclose a first pricing scheme setting unit definition information table for holding the number of times counted for passages of at least one activity set for execution. Remington et al. discloses a first pricing scheme setting unit definition information table for holding the number of times counted for passages of at least one activity set for execution (Figure 8; column 1, lines 26-37; column 11, lines 11-21; keeps count of quantity of good/services for billing; reference states that it can be used for goods or services [activities]; workflow was addressed in the rejection for claim 16). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 16 such that it includes a first pricing scheme setting unit definition information table for holding the number of times counted for passages of at least one activity set for execution, as disclosed by Remington et al. Remington et al. provides motivation in that counting quantity of a good/service allows a customer to be charged for the full number of goods/services purchased (Figure 8; column 1, lines 26-37; column 11, lines 11-21).

Mason et al., Goossens et al., and Haggerson et al. fail to disclose wherein said workflow management apparatus includes variable fee pricing in said pricing amount based on said table. Remington et al. further discloses wherein said workflow management apparatus includes variable fee pricing in said pricing amount based on said table (Figure 8; column 1, lines 26-37; column 11, lines 11-21; bill calculates total price based on quantity; reference states that it can be used for goods or services [activities]). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Mason et al. as modified in the rejection for claim 16 and as modified above in this rejection such that said workflow

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management apparatus includes variable fee pricing in said pricing amount based on said table, as disclosed by Remington et al. Remington et al. provides motivation in that calculating a fee based on the quantity of good/services allows a customer to be charged for the full number of goods/services purchased (Figure 8; column 1, lines 26-37; column 11, lines 11-21).

Conclusion

10. **Examiner's Note:** Examiner has cited particular portions of the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Erb whose telephone number is (571) 272-7606. The examiner can normally be reached on Mondays through Fridays, 8:30 AM to 5 PM.

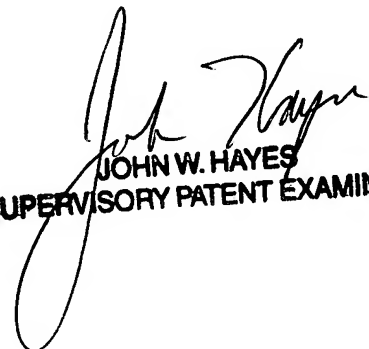
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nathan Erb
Examiner
Art Unit 3639

nhe



JOHN W. HAYES
SUPERVISORY PATENT EXAMINER